

DEPARTMENT OF SOCIAL SERVICES

744 "P" Street, Sacramento, CA 95814



November 27, 1981

ALL COUNTY INFORMATION NOTICE 1-149-81

TO: ALL COUNTY WELFARE DIRECTORS


SUBJECT: Mandated Interview of Alleged Dependent Minors

This notice is to inform you that on September 27, 1981, the Governor signed into law SB 356 (c.875, Statutes of 1981), a non-urgency measure effective January 1, 1982. The new law modifies Sections 328 and 328.5 of the Welfare and Institutions Code to mandate that a probation officer or social worker who is investigating an alleged dependency case must interview the alleged dependent and report to the court as specified.

The provisions of SB 356 expand Welfare and Institutions Code Section 328 and 328.5 to specifically require that when a probation officer or social worker is investigating an alleged W&I Code Section 300 case, he or she shall interview any minor age four or older who is the subject of the investigation and who is living in juvenile hall, a foster home, or other custodial facility. The designated purpose of the interview is to ascertain the minor's view of the home environment. If after the investigation, dependency proceedings are commenced, the probation officer or social worker shall submit in a written report to the court, the substance of the interview with the minor. The report is to be submitted at the adjudicatory hearing. If no report is received into evidence at the adjudicatory hearing, the substance of the interview is to be included in the social study submitted to the court, for its consideration on the proper disposition of the minor's case. The social study is currently required by Welfare and Institutions Code Section 358.

No regulatory or policy changes are indicated by passage of this legislation. If you have any questions concerning this information notice, please contact your Family and Children Services Program Operations management consultant at (916) 445-7653 or ATSS (916) 485-7653.

Sincerely,

  
JAMES H. GOMEZ  
Deputy Director

cc: CWDA